

FAX TRANSMISSION

DATE: April 8, 2009

CLIENT NO.: 4845-0101PUS1

MESSAGE TO: Ms. Eleanor Cook, Board of Patent Appeals and Interferences

COMPANY: USPTO

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Serial No.: 10/530,290

PAGES (Including Cover Sheet): 3 **HARD COPY TO FOLLOW:** YES NO

MESSAGE:

Ms. Cook:

A Request to Reschedule Date of Oral Hearing is attached hereto.

Because the date of the oral hearing is May 19, 2009, Applicants request that this request be treated on its merits as soon as possible, to avoid inconvenience to the panel assigned to hear the Appeal in this Application should the request be granted.

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PATENT
4845-0101PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas L. Haschen et al.

Application No.: 10/530,390

Confirmation No.: 3643

Filed: June 14, 2005

Art Unit: 1794

For: FERMENTATION BYPRODUCT FEED
FORMULATION AND PROCESSING

Examiner: K. J. Mahafkey

REQUEST TO RESCHEDULE DATE OF ORAL HEARING

BPAI HEARINGS OFFICER

Fax No.: (571) 273-0299

Sir or Madam:

A Notice of Hearing, dated April 6, 2009, set the oral hearing for this Application to be held on Tuesday, May 19, 2009.

Applicants fully intend to attend an oral hearing in this Application, and respectfully request that the date of the oral hearing be rescheduled to occur at least one month after the currently set date, for the following reasons:

Firstly, Applicants undersigned representative has scheduled and paid for a fortieth wedding anniversary cruise for himself and his wife for the period from May 8, 2009 to May 31, 2009 and will be out of the country for that entire period.

Secondly, Applicants will be on previously scheduled vacation from June 1 to June 14, 2009.

Thirdly, Applicants' undersigned representative personally drafted this Application while at another patent law firm, is the only patent practitioner who has conducted the prosecution of

Request to Reschedule Date of Oral Hearing
U.S. Application No. 10/530,390

Atty. Docket No. 4845-0101PUS1
Art Unit: 1794

this Application (both at the other law firm and at this law firm) and is the only representative that the clients authorize to attend the oral hearing.

Fourthly, Applicants have previously notified the Board that the Applicants will personally attend the oral hearing to answer questions from the Board relevant to the issues on Appeal, and have asked for additional time to do so in the Request for Oral hearing.

Fifthly, this request to reschedule the oral hearing date is being made one day after Applicant's undersigned representative received the Notice of Hearing, to permit rescheduling of the oral hearing date well before the members of the panel who will conduct the oral hearing will begin to prepare for the hearing, so as to not inconvenience the Board in any way in this regard.

For the reasons presented above, Applicants respectfully request that the oral hearing for this Application be rescheduled to take place on or after June 19, 2009.

Dated: April 8, 2009

Respectfully submitted,

By Robert J. Webster

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